

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

TICORA WILLIAMS,

Civil Action File No. 1:11-CV-03712-RLV

Plaintiff,

v.

WAL-MART STORES EAST, LP,

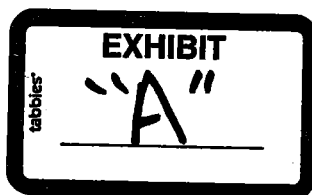
Defendant.

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**AFFIDAVIT OF ALBERT J. DECUSATI, ESQ.**

Personally appeared before me, the undersigned subscribing officer, duly authorized to administer oaths, **Albert J. DeCusati, Esq.**, who, after first being duly sworn, deposed and stated as follows:

1.

I am over the age of eighteen (18) years; I am suffering from no legal disabilities, and I am competent to make this Affidavit, said Affidavit being based on my personal knowledge of the facts hereinafter set forth, and I make this Affidavit in support of Defendant Wal-Mart Stores, East, LP's Response to Non-Party ML Healthcare, LLC's Motion to Quash Subpoena.



2.

I am lead counsel for the Defendant in the above-referenced matter.

3.

Defendant Wal-Mart has a good faith basis for serving its Subpoena for Production of Documents to Non-Party ML Healthcare in this case. ML Healthcare has funded all or a portion of Plaintiff Williams's medical treatment following the Wal-Mart incident in question. I have handled a number of similar personal injury cases with MLH and other funding companies. In other similar personal injury cases involving funding companies, I have learned that the funding companies refer patients involved in litigation to doctors for treatment, and I have noticed that many of the same doctors are involved in the treatment of the plaintiffs. In fact, my investigation into this case and in other cases reveals that some doctors may have a financial interest or stake in the funding company. Thus, the medical providers have a financial incentive to find causation of damages for their patients during litigation.

4.

The funding companies, such as MLH, are not insurance companies, nor are they medical providers. They do not insure people before an accident. These funding companies, like MLH, are capital investors that bet on litigation.

5.

Thus, the “medical bills” that are produced in litigation from funding companies like MLH are not “real” medical bills. They appear to be purposely inflated bills that do not reflect the true cost of the medical treatment of a patient. Rather, these inflated medical bills are used as negotiating tools in litigation, and represent the profit the funding companies hope to receive on their investment in the litigation through a settlement or judgment.


This 30 day of May, 2012

  
\_\_\_\_\_  
Albert J. DeCusati, Esq.

Sworn to me and subscribed

before me this 30 day of

May, 2012.

  
\_\_\_\_\_  
Notary Public

